

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

MARY LOUISE WILLIAMS,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 2:24-cv-03105-CSK

ORDER REGARDING MOTION TO
PROCEED FORMA PAUPERIS
(ECF No. 2)

Plaintiff Mary Louise Williams requests leave to proceed without prepayment of the filing fee, in forma pauperis (“IFP”), under 28 U.S.C. § 1915.¹ (ECF No. 2.) However, Plaintiff’s affidavit is incomplete and does not contain all the information needed for the Court to determine whether this motion should be granted. Specifically, in responding to question 2, Plaintiff states that she receives gross pay or wages of \$1,182 and take-home pay or wages of \$1,182 per month, but she has not included her employer’s name or address. In question 3, Plaintiff checked the box “yes” that she received income from rent payments, interest, or dividends income in the past 12 months. However, Plaintiff has not described the source of that income, the amount received, and what she expects

¹ This case was referred to the undersigned pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72, and E.D. Cal. L.R. 302(c)(15) and Appx. A subsection (j).

1 to receive in the future. Instead, Plaintiff lists her expenses. In response to question 6
2 about expenses, Plaintiff states that “there are not anything that I have in my name so
3 far.” Additionally, in response to the question about whether Plaintiff has any debts or
4 financial obligations, she says that “I don’t have any money at all.” It’s unclear whether
5 Plaintiff actually receives income from rent payments, interest, or dividends as indicated,
6 or if she mistakenly checked “yes” to identify her expenses.

7 As outlined above, the Court needs clarification about whether Plaintiff has
8 alleged poverty with “particularity, definiteness and certainty.” *Escobedo v. Applebees*,
9 787 F.3d 1226, 1234 (9th Cir. 2015) (citation omitted).

10 Accordingly, IT IS HEREBY ORDERED that:

11 1. Within twenty-one days of the date of this order, Plaintiff shall file a complete
12 affidavit responding to all questions, including but not limited to the following
13 information:

14 a. Plaintiff’s employer’s name and address (if any) in response to question 2;
15 b. The source and amount of any income Plaintiff received in the past 12
16 months in response to question 3;
17 c. Plaintiff’s monthly expenses in response to question 6; and
18 d. Any debts or financial obligations that Plaintiff owes (if any) in response to
19 question 8; and

20 2. The Clerk of the Court is directed to provide Plaintiff with a blank copy of the
21 Application to Proceed in District Court Without Prepaying Fees or Costs.

22
23 Dated: November 21, 2024


24 CHI SOO KIM
25 UNITED STATES MAGISTRATE JUDGE

26 5, will.3105.24

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